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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,961	12/07/2001	Geza Nemeth	0115-001	7474
37141	7590	11/18/2005	EXAMINER	
<i>Robert C. Kowert Meyertons, Hood, Kivlin, Kowert & Goetzel, PC. P O Box 398 Austin, Texas 78767-0398</i>			LOBO, IAN J	
		ART UNIT	PAPER NUMBER	
		3662	<i>Re</i> SR	
DATE MAILED: 11/18/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/017,961	NEMETH, GEZA	
	Examiner Ian J. Lobo	Art Unit 3662	

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 February 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 and 19-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 24-26 is/are allowed.
- 6) Claim(s) 1-15 and 19-23 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson et al ('222) when taken in view of Fort ('472).

Per claims 9 and 15, Wilson et al discloses a method for collecting seismic data from a seismic receiver, digitizing the data and transmitting the digitized data to a collection device. The digitized data is transmitted in response to a signal from another receiver (col. 4, lines 10-16, col. 5, lines 6-43, col. 7, lines 6-12). It is also pointed out that a logic controller (210) is disclosed as having an internal processor. Further, it is noted that the digitized data that is transmitted is in the form of a data package. This "data package" reads on the claimed "batch data".

The difference between claims 9 and 15 and the Wilson et al method is the claim now specifies that the digital data is stored prior to transmission. Wilson et al do not specify storing the data.

Fort discloses a digital geophone system utilized for acquiring and transmitting seismic data from a plurality of geophones to a collection device. Note that in Fig. 2, a part of the system is shown where the ADC (analog-to-digital converter) includes a data storage unit (DSU). As taught by Fort, such data storage unit is part of the analog-to-

digital converter unit. Although Wilson et al do not detail an ADC, it is inherent that digital data is being transmitted. Therefore, it would be obvious to one of ordinary skill in the art, in view of Fort, that the digital data being transmitted by Wilson et al inherently includes storing of data, prior to transmission, since the digital data conversion inherently includes data storage. Claims 9 and 15 are so rejected.

Dependent claims 10-14 are further provided by the combination of the above noted prior art.

3. Claims 1-8, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fort (472) when taken in view of Wilson et al (222).

Per claims 1, 22 and 23, Fort discloses a seismic exploration system for collecting digital data representative of collected seismic data events. The system includes a seismic receiver comprising a casing, a geophone, an analog-to-digital converter having data storage, and a digital signal transmission circuitry. All of the geophone, digital transmission circuitry and A/D converter are located within the casing.

The difference between claims 1, 22 and 23 and Fort is the claims specify that the digital data is transmitted in a batch. Fort does not suggest such batch data transmission.

Wilson et al discloses a method for collecting seismic data from a seismic receiver, digitizing the data and transmitting the digitized data to a collection device. The digitized data is transmitted in response to a signal from another receiver (col. 4, lines 10-16, col. 5, lines 6-43, col. 7, lines 6-12). It is noted that the digitized data that is

transmitted is in the form of a data package. This "data package" reads on the claimed "batch data".

In view of Wilson et al, it would be obvious to one of ordinary skill in the art to modify the system of Fort to include transmitting the data as "batch data" since such batch data provides faster transmission and less noise interference. Claims 1, 22 and 23 are so rejected.

Dependent claims 2-8 are further provided by the above noted combination of prior art.

4. Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fort in view of Wilson et al as applied to claim 1 above, and further in view of Orban et al ('577).

Claim 19 further claims a "board capable of conducting electrical signals" as housed in the receiver.

Orban et al teach that seismic receivers are commonly located on boards (PCBs) so as to provide more miniaturized seismic receiver elements. It would be obvious to one of ordinary skill in this art to further modify Fort to configure the seismic receiver to include a PCB so as to lower the size and therefore cost of the seismic receiver systems. Claim 19 is so rejected.

Dependent claims 20-22 are further provided by the combination of the above noted prior art.

Allowable Subject Matter

5. Claims 24-26 are allowed.

6. Applicant's arguments with respect to claims 1-15 and 19-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian J. Lobo whose telephone number is (571) 272-6974. The examiner can normally be reached on Monday - Friday, 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ian J. Lobo
Primary Examiner
Art Unit 3662